



FACSIMILE

** Please
Enter
this
Restriction*

DATE: December 04, 2002

OFFICIAL PAPER

PHILADELPHIA
One Liberty Place, 46th Floor
Philadelphia, PA 19103
215-568-3100
Fax: 215-568-3439

SEATTLE
999 Third Avenue, Suite 1606
Seattle, WA 98104
206-332-1380
Fax: 206-624-7317

JOB CODE: 04602

Please deliver this and the following pages to:

Examiner: **Examiner Robert M. DeWitty**

U.S.P.T.O. Group Art Unit: **1616**

Telecopier No.: **703-308-7924**

U.S. Serial No.: **09/690,974**

Client/Matter No.: **MPCI-0031**

Sender's Name: **Stephen C. Timmins, Esquire**

Pages to Follow:

If transmission is not complete, please call our **Philadelphia Office at (215) 568-3100.**

COVER MESSAGE:

OFFICIAL FACSIMILE. PLEASE DELIVER TO EXAMINER IMMEDIATELY.

Attached hereto is/are the following documents:

- 1) Communication
- 2) Copy of date-stamped return postcard
- 3) Amendment Transmittal Letter and Request for 2 Month Extension of Time
- 4) Response to Restriction Requirement (pp 1-4)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Woodcock WASHBURN LLP
A Partnership Including Professional Corporations
www.woodcock.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: **Spiridon Spireas**

Serial No.: **09/690,974**

Group Art Unit: **1616**

Filed: **October 18, 2000**

Examiner: **R.Dewitty**

For: **STABILIZATION OF SOLID DRUG FORMULATIONS**

#12
1-9-03

Certificate of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Assistant Commissioner for Patents on the date shown below.

On December 4, 2002



Stephen Timmins Registration No.48,481

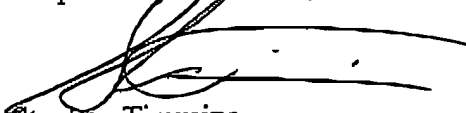
Assistant Commissioner
For Patents
Washington, D.C. 20231

Dear Sir:

COMMUNICATION

In response to the Examiner's telephone inquiry of December 4, 2002, Applicants respectfully submit that the response to the restriction requirement dated March 12, 2002 was filed on June 13, 2002. Enclosed please find a copy of the return post card date stamped by the Patent Office, an unsigned copy of the transmittal letter, and an unsigned copy of the response to the restriction requirement. We did not make copies of the signed response prior to mailing it to the Office.

Respectfully submitted,



Stephen Timmins
Registration No. 48,481

Date:

12/4/02

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
(215) 568-3100

DOCKET NO.: MPC1-0031

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Spiridon Spireas

Serial No.: 09/690,974

Group Art Unit: 1616

Filing Date: October 18, 2000

Examiner: R. Dewitty

For: STABILIZATION OF SOLID DRUG FORMULATIONS

DATE OF DEPOSIT: June 13, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME: Stephen C. Timmins
REGISTRATION NO.: 48,481

Box ☐ NON-FEE

☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

☐ A Preliminary Amendment.

☒ An Amendment Responsive to the Office Action Dated March 12, 2002

☐ An Amendment Supplemental to the Paper filed _____

☐ Other: _____

DOCKET NO.: MPCI-0031

- 2 -

PATENT

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages _____ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ _____ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: _____
_____ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: _____
- ☐ Other Material as follows: _____

DOCKET NO.: MPC1-0031

- 3 -

PATENT

FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	42	42 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$
INDEP. CLAIMS	9	9 (3 MINIMUM)	0	\$42 EACH	\$0	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$200	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$200		\$

☒ A Check is Enclosed in the Foregoing Amount Due.☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of March 12, 2002 to and through June 12, 2002 comprising an extension of the shortened statutory period of two(2) month(s).☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is

DOCKET NO.: MPC1-0031

- 4 -

PATENT

further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: June 13, 2002

Stephen C. Timmins
Registration No. 48,481

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439